## LAW OFFICE

7E1-302

## MCLEOD, WATKINSON & MILLER

MICHAEL R. MCLEOD WAYNE R. WATKINSON MARC E. MILLER RICHARD T. ROSSIER CHARLES A. SPITULNIK RICHARD PASCO ALEX MENENDEZ ELIZABETH A. HAWS\*\* AMY B. JONES\*\*\*

(\*\*Admitted in Ohio only) (\*\*\*Admitted in New York only) One Massachusetts Avenue, N.W.
Suite 800
Washington, DC 20001-1401
(202) 842-2345
Telecopy (202) 408-7763

KATHRYN A. KLEIMAN\*
OF COUNSEL
(\*Admitted in Virginia only)

ROBERT RANDALL GREEN LAURA L. PHELPS GOVERNMENT RELATIONS

October 20, 2003

Stead Craigo, Deputy California State Office of Historic Preservation 1416 9<sup>th</sup> Street P. O. Box 942896 Sacramento, California 94296

Re: STB Docket AB-No. 416 (Sub-No. 3X), San Bernardino Associated Governments – Abandonment – In San Bernardino County, CA

Dear Sir or Madam:

San Bernardino Associated Governments ("SANBAG") gives notice that on October 7, 2003, it filed with the Surface Transportation Board ("STB") a Notice of Exemption for the abandonment of the segment of line between Milepost 9.48 and Milepost 11.40 on the Burlington Northern Santa Fe Railway Company ("BNSF") in Redlands, San Bernardino County, California. A copy of SANBAG's Notice of Exemption is attached.

This is the line segment with respect to which BNSF filed a Notice of Exemption in Docket No. AB-6 (Sub-No. 398X), *The Burlington Northern and Santa Fe Ry. Co. – Abandonment Exemption – in San Bernardino County* (Service Date December 12, 2002), seeking to extinguish its obligation to provide common carrier freight service on the line. SANBAG owns the line and BSNF previously had the exclusive right and obligation to provide freight service over it. BNSF has previously provided you with the Environmental and Historic Report related to this line segment. Because BNSF's report was prepared recently, SANBAG is relying on the information in that report. However, SANBAG hereby advises you that SANBAG intends to remove all rails and ties from the segment of this line between Milepost 10.4 and Milepost 11.4 upon consummation of the abandonment because of a washout of the line at two locations on that segment. SANBAG has no present intention to remove the rail and ties between Milepost 9.48 and Milepost 10.4.

If you wish to provide the STB with any additional information about any environmental matters raised by this proposed abandonment, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, NW, Washington, DC 20423,

## McLeod, Watkinson & Miller

Stead Craigo, Deputy October 20, 2003 Page 2

telephone (202) 565-1545 and refer to the above Docket No. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to me) would be appreciated within 3 weeks.

Your comments will be considered by the Board in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact me directly.

Very truly yours

Charles A. Spitulnik

Attachment

cc (w/o attachment):

Mr. Michael Bair, SANBAG

Ms. Rini Ghosh, Section of Environmental Analysis, Surface Transportation Board